

## REMARKS

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Therrien in view of Fossum.

Pursuant to an embodiment of the present invention, a spatial defect may arise when it is determined that two defective pixels are too close in proximity. Spatial defects may be determined during the frame read out process. Therefore, it is easy to determine whether certain spatial characteristics exist—once a bad pixel is identified, all that is needed is to determine whether the next bad pixel is within a predefined (or programmable, in some cases) offset from the previous bad pixel.

The examiner concedes that the Therrien reference does not disclose determining a number of spatial defects involving a pair of adjacent defective pixels. For the same reason, it is respectfully submitted that the Therrien reference does not determine a number of spatial defects based on the number of pairs of adjacent defective pixels that are closer than a given offset. The Fossum reference does not cure the deficiency of Therrien.

For example, the alleged spatial defects in Fossum are defective pixel areas. Fossum identifies dead pixel areas as “*a group of pixels that includes pixel elements that are in some way defective.*” Column 1, lines 65-67 (emphasis added). Furthermore, *dead pixel areas include a single dead pixel or a contiguous group of bad pixels.* Column 3, lines 1-23 (emphasis added). Therefore, Fossum’s criteria for designating a group of pixels as a dead pixel area is (1) that the group of pixels *include* pixel elements that are in some way defective and (2) that the area *include* a contiguous group of bad pixels. Because Fossum does not specifically limit a dead pixel area to only dead pixels, it is respectfully submitted that Fossum’s dead pixel areas may also include pixels that are not bad, but nevertheless fall within the identified group. Thus, when Fossum “investigates” bad pixels to determine a type of dead pixel area, the identified area includes the contiguous defective pixels and any other pixels contained within the group such as an entire row, an entire column, or a neighborhood. *Id.* Because Fossum’s “investigation” of bad pixels merely identifies bad pixel areas according to a type of group (e.g., column, row, neighborhood) his “investigation” has nothing to do with determining a number of spatial defects based on the number of pairs of adjacent defective pixels that are closer than a given offset. In other words, Fossum’s groupings are dependent upon the type of area and not the actual number of defective pixels pairs within that area. Because neither reference alone or in combination

discloses or suggests all of the limitations of amended claim 1, claim 1 and claims dependent thereon are patentably distinguished over the cited art.

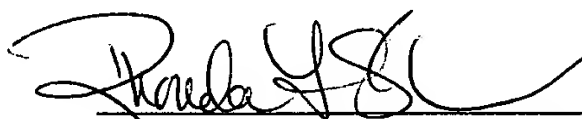
For at least the same reasons, independent claims 15 and 22, and their respective dependent claims are also patentable over the cited references.

### **CONCLUSION**

In view of the amendments and remarks herein, the application is believed to be in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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